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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,203	02/23/2000	Bernard Bancal	Bancal-8	3778
28581	7590	01/14/2004	EXAMINER	
DUANE MORRIS LLP 100 COLLEGE ROAD WEST, SUITE 100 PRINCETON, NJ 08540-6604			LEE, GUIYOUNG	
			ART UNIT	PAPER NUMBER
			2875	
DATE MAILED: 01/14/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

### Office Action Summary

Application No.

09/511,203

Applicant(s)

BANCAL ET AL.

Examiner

Guiyoung Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9 and 11 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Prelim./Amdt.***

1. Receipt is acknowledged of the Amendment filed Sept. 23, 2003.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mougin et al. (USPT 5,764,000) in view of Meyer et al. (USPT 6,133,690).

Re claims 1 and 11: Mougin discloses a flat display screen anode having a plurality of phosphor elements (7 in Fig. 3), at least one biasing electrode (18) under the phosphor elements, the bias electrode comprising at least one resistive layer (18) (See Fig. 3-Fig.7); and at least one conductive layer (19), operable for biasing corresponding ones of the phosphor elements, and a cathode (1 in Fig. 8) for generating electrons to bombard the anode. Mougin does not disclose that the conductive layer is positioned under the phosphor elements. However, Meyer teaches that the conductive layer (C in Fig. 1) is positioned under the phosphor elements (P in Fig. 1). It would have been obvious to one having ordinary skill in the art at the time of the invention to locate Mougin's conductive layers under the phosphor elements as suggested by Meyer, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, USPQ 70.

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Re claim 6: Mougin discloses that the resistive layer (18 in Fig. 3) is formed without being patterned

Re claim 9: Mougin discloses that the conductive layer is formed in a pattern of alternative strips interconnected in at least two sets (7r, 7g, 7b in Fig. 8).

Re claims 2-3: Mougin does not disclose a reflective conductive layer. However, Meyer teaches a reflective conductive layer (46 in Fig. 2). It would have been obvious to one having ordinary skill in the art at the time of the invention to substitute Mayer's reflective conductive layer with Mougin's conductive layer in order to provide a display screen having a transparent cathode structure.

Re claims 4-5: Meyer teaches that the reflective layer (46) is organized in an elementary pattern (See Fig. 2) and the phosphor elements (48) are organized in elementary pattern corresponding to that of the reflective layer (See Fig. 2).

#### ***Allowable Subject Matter***

6. Claims 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Although Mougin discloses a resistive layer, Mougin fails to teach that the resistive layer has the same pattern as the reflective layer or the conductive layer, as set forth in the claims.

***Response to Arguments***

8. Applicant's arguments, see the Remarks (pages 6-9), filed September 23, 2003, with respect to the rejection(s) of claim(s) 1-9 and 11 under 35 USC 102 and 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Mougin and Meyer as discussed above.

9. In light of the amendment to the claims and Applicant's clarification, the Examiner's claims rejection under the second paragraph of 35 USC 112 is withdrawn.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Guiyoung Lee** whose telephone number is (571) 272-2374. The examiner can normally be reached between the hours of 8:00 AM to 3:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached on (571) 272-2378. The fax phone number for this Group is (703) 872-9306. The Right Fax phone number for the examiner is (703) 746-4766.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**Guiyoung.lee@uspto.gov**].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or*

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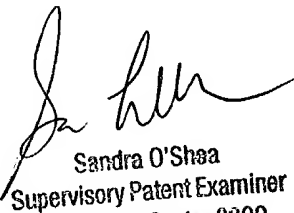
*exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

GYL

GAU2875

01/05/2004



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800